

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICKEY CALHOUN,
Plaintiff,
v.
STATE OF WASHINGTON, *e*
Defendant

Case No. C08-5101RBL/JKA

ORDER STAYING
DISCOVERY

This Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). Before the court is defendant's motion asking the court to stay discovery pending disposition of a dispositive motion (Dkt. # 84).

Defendants argue they should not have to answer discovery until after the dispositive has been addressed. The motion is based in part of principles of sovereign immunity and Eleventh Amendment immunity. One of the reasons for immunity is to shield government from the costs of litigation. These costs include the cost of discovery. See Generally, Harlow v Fitzgerald, 457 U.S. 800 (1982).

A motion to dismiss is pending before the court and defendants motion to stay discovery is
GRANTED.

The Clerk is directed to send a copy of this Order to plaintiff and counsel for defendants.

DATED this 14 day of January, 2009.

/S/ J. Kelley Arnold
J. Kelley Arnold
United States Magistrate Judge